



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,844	Thomas Schmidt	12834-00021-US

INTERNATIONAL APPLICATION NO.
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PCT/EP05/01761

I.A. FILING DATE	PRIORITY DATE
02/20/2005	02/21/2004

23416  
 CONNOLLY BOVE LODGE & HUTZ, LLP  
 P O BOX 2207  
 WILMINGTON, DE 19899

CONFIRMATION NO. 2786

371 FORMALITIES LETTER



\*OC000000023230071\*

Date Mailed: 04/04/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/18/2006
- Copy of the International Search Report filed on 08/18/2006
- Preliminary Amendments filed on 08/18/2006
- Information Disclosure Statements filed on 08/18/2006
- Request for Immediate Examination filed on 08/18/2006
- U.S. Basic National Fees filed on 08/18/2006
- Priority Documents filed on 08/18/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$700** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$960** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.
- Total additional claim fee(s) for this application is **\$ 700**
  - **\$700** for **14** total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,844	PCT/EP05/01761	12834-00021-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Thomas Schmidt et al.

Conf. No.: 2786

Application No.: 10/589,844

Group Art Unit: N/A

Filed: August 18, 2006

Examiner: Not Yet Assigned

For: HIGH-PERFORMANCE MEMBRANE  
ELECTRODE UNIT AND THE USE THEREOF  
IN FUEL CELLS

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed April 4, 2007 (enclosed herewith). Applicant respectfully submits a copy of the English translation of the application as filed 11/15/06 via facsimile together with the Auto-Reply receipt from the USPTO; and a copy of the declaration as filed with the application on 8/18/06 together with the Transmittal Letter (form PTO-1390) indicating the declaration was enclosed with the application.

Applicant respectfully points out that the English translation and Preliminary Amendment and Declaration requested in the Notice have been previously submitted to the USPTO.

Applicant submits a copy of the English translation of the application as filed November 15, 2006, via facsimile together with the Auto-Reply Facsimile Transmission received from the USPTO; and a copy of the Declaration as filed with the application on August 18, 2006 together with the Transmittal Letter (form PTO-1390) indicating the declaration was enclosed with the application.

Please charge our Deposit Account No. 03-2775 in the amount of \$830.00 covering the additional claim fee of \$700.00 and the processing fee of \$130.00 for submitting an English translation 30 days past filing. Applicant believes no charge is due for the Declaration since it was filed with the application. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 12834-00021-US.

Dated: May 4, 2007

Respectfully submitted,

Electronic signature: /Ashley I. Pezzner/  
Ashley I. Pezzner  
Registration No.: 35,646  
CONNOLLY BOVE LODGE & HUTZ LLP  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, Delaware 19899

(302) 658-9141  
(302) 658-5614 (Fax)  
Attorney for Applicant